



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket: TOVEY=1A

In re Application of:)	Conf. No.: 1869
Michael TOVEY)	Art Unit: 1614
Appln. No.: 09/243,030)	Examiner: R. Cook
Filed: February 3, 1999)	Washington, D.C.
For: THERAPEUTIC APPLICATIONS)	October 3, 2005
OF HIGH DOSE ...)	

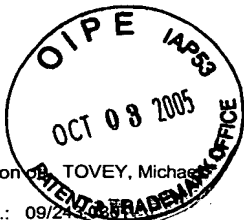
RESPONSE

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop Amendments
401 Dulany Street
Alexandria, VA 22314

Sir:

The present communication is responsive to the official action of June 3, 2005. Claims 22-57 presently appear in this case. No claims have been allowed. The official action of June 3, 2005, has been carefully studied. Reconsideration and allowance are respectfully urged.

Briefly, the present invention relates to a method for treating a viral infection by the administration of interferon via oromucosal contact. The dose is a high dose which is greater than 20×10^6 IU of interferon for a 70 kg human, preferably greater than 30×10^6 IU of interferon, which dose is in excess of a dose of the same interferon which induces a pathological response when parenterally administered.



1614\$
aw

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of TOVEY, Michael

Art Unit: 1614

Application No.: 09/243,030

Conf. No. 1869

Examiner: R. Cook

Filed: February 3, 1999

Washington, D.C.

For: THERAPEUTIC APPLICATIONS OF HIGH DOSE INTERFERON

Atty.'s Docket: TOVEY1A

Date: October 3, 2005

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop Amendment
401 Dulany Street
Alexandria, VA 22314

Sir:

Transmitted herewith is a [] Amendment [XX] Response and Tovey Declaration
in the above-identified application.

[] Small Entity Status: Applicant(s) claim small entity status. See 37 C.F.R. §1.27.

[] No additional fee is required.

[XX] The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA EQUALS
TOTAL	* 36	MINUS	** 51	0
INDEP.	* 3	MINUS	*** 3	0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

SMALL ENTITY	
RATE	ADDITIONAL FEE
x 25	\$
x 100	\$
+ 180	\$
ADDITIONAL FEE TOTAL	

OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE
x 50	\$
x 200	\$
+ 360	\$
TOTAL	

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

[] Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity

Response Filed Within

[] First - \$ 60.00

[] Second - \$ 225.00

[] Third - \$ 510.00

[] Fourth - \$ 795.00

Month After Time Period Set

Other Than Small Entity

Response Filed Within

[XX] First - \$ 120.00

[] Second - \$ 450.00

[] Third - \$ 1020.00

[] Fourth - \$ 1590.00

Month After Time Period Set

[] Less fees (\$) already paid for month(s) extension of time on .

[] Please charge my Deposit Account No. 02-4035 in the amount of \$.

[XX] Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$120.00 .

[] A check in the amount of \$ is attached (check no.).

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees

10/04/2005 3:28 PM 100000119 09243030

01 FC:1251

120.00 OP

Facsimile: (202) 737-3528
Telephone: (202) 628-5197

BROWDY AND NEIMARK, P.L.L.C.

Attorneys for Applicant(s)

By: 
Roger L. Browdy
Registration No. 25,618

BEST AVAILABLE COPY